

WE Charity et al. v. Canadaland and Jesse Brown



Howard Winkler

Mr. Brown, subsequent to the publication of your defamatory article entitled “Crime And Fraud At WE Charity In Kenya” on July 3, 2020 you published on your personal Twitter page a number of posts promoting the defamatory article. Your posts were not merely links to the defamatory article, but rather included your own statements and carefully and maliciously selected quotes which you have purposely taken out of context, all of which are themselves defamatory of our clients, in particular Marc Kielburger.

The Tweets, in the absence of the important context of which you were fully aware, falsely suggest that Mr. Kielburger was complicit and assisted in or condoned the criminal conduct of Mr. Ruhui. In fact, the opposite is the truth: as you are aware, Mr. Kielburger was acting in cooperation with the authorities in the conduct of an investigation. Your misleading tweets constitute a serious defamatory attack on Mr. Kielburger personally and demonstrate your irresponsible reporting on this matter thus far.

We are further very concerned that any upcoming reporting, including a possible Canadaland podcast, may continue this irresponsible practice of taking selective statements out of the larger context.

Selective playing of the audio recordings does not provide an adequate understanding of the larger contextual situation of the fact that these recordings were initiated by Mr. Kielburger, in cooperation with Kenyan authorities, as part of investigation into Mr. Ruhui’s conduct. You have

in your possession documentation that clearly confirms these facts, including now a statement by Michelle Hambly, attached, a Canadian national, who is Mr. Ruhiu's ex-wife. We have also provided you extensive supporting documentation including an independent report from the external international agency that was involved in the investigation as well as now an independent report from the former Directorate of Criminal Investigations, also attached.

In response to your further inquiries, please be advised as follows:

Q. Why did you allow Peter Ruhiu remain employed and in charge of a large staff as you Country Director, for months after the recorded phone call, in which he threatens to kill your employee and describes his "criminal offences"?

A. The timeframe for the investigation duration and ensuing actions was determined in collaboration with the authorities.

Furthermore, it is worth noting that a priority during this investigation was the safety of all parties. Firstly, Mr. Ruhiu's actions and interactions were closely monitored. Secondly, out of an abundance of caution, the employee referenced by Mr. Ruhiu was temporarily relocated with his family outside of Kenya. Lastly, the timeframe of the investigation and ensuing actions was planned, in part, to ensure the safety and exit from the country of Mr. Ruhiu's spouse and children. A statement is attached from Mr. Ruhiu's now ex-wife, a Canadian national in this regard.

Q. To the best of your knowledge, why was Peter Ruhiu never charged with making death threats, or with bribery?

A. The audio recording, which was initiated by Mr. Kielburger under the circumstance previously disclosed to you, was provided to the police. The decision as to what charges to lay was within the control of the Kenyan police. The issue at hand is in front of the

criminal courts in Kenya. As you can appreciate, we cannot comment on on-going legal matters.

Canadaland has previously pursued and is presently pursuing false and defamatory narratives of and concerning WE Charity and the Kielburgers. Notwithstanding our clients' ongoing responses to your reporting you continue to persist in your malicious conduct. We insist that our clients' responses to your defamatory statements and innuendo be given equal prominence to the defamatory statements themselves. To bury our clients' responses is under the circumstance highly inappropriate and irresponsible.

Regards,

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